

Application No.: 10/567,435
Art Unit: 3618

Request for Reconsideration
Attorney Docket No.: 062028

REMARKS

Claims 1, 2 and 4 are pending in the present application and are rejected.

Applicants' Response to Claim Rejections under 35 U.S.C. §102

Claims 1, 2 and 4 were rejected under 35 U.S.C. §102(b) as being anticipated by Masahiko (JP 2002-204504).

It is the position of the Office Action that Masahiko discloses the embodiments as claimed. However, the Office Action provides no substantive analysis. The Office Action merely copies the text of claims 1, 2 and 4, and generally alleges that the abstract of Masahiko discloses all of this subject matter.

As a preliminary matter, Applicants respectfully note that Masahiko was cited in the International Search Report dated September 14, 2004 and filed with the February 7, 2006 Information Disclosure Statement. In this International Search Report, Masahiko was categorized as "A", which refers to a "document defining the general state of the art which is not considered to be of particular relevance." In order to ensure the most efficient examination possible, Applicants respectfully request that the Office be mindful of comments in the International Search report, and of the fact that the pending application is a participant in the Patent Prosecution Highway (PPH) Pilot Program. Additionally, Applicants respectfully request that any future Office Action, if issued, provide a more substantive analysis of the claims, including notation of cited art column or page numbers in which the claimed elements are alleged to be disclosed.

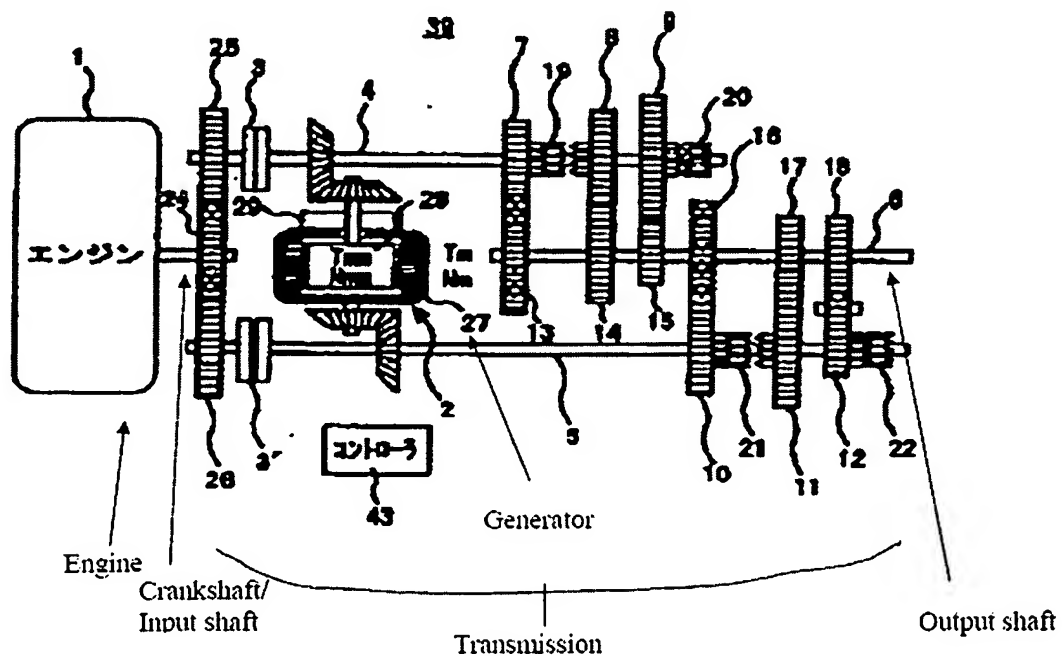
Masahiko is directed at a power-transmitting system for a vehicle and an automobile mounted with the system. In Figure 1, Masahiko discloses an engine 1 having an output shaft connected to engine joint gears 24-26. Engine joint gear 25 is mounted on first clutch shaft 4, while engine joint gear 26 is mounted on second clutch gear 5. Power is transferred to common output shaft 6 via one of gears 7-12. Meanwhile, bevel gears are mounted on first clutch shaft 4 and second clutch shaft 5. These bevel gears interact with bevel gears on a shaft of generator 2. Generator 2 can act to charge electric power or drive the first clutch shaft 4 and second clutch shaft 5.

In response to the pending rejection, Applicants respectfully submit that Masahiko does not disclose the embodiments as claimed for several reasons. First, the claims require two motors: a generator/motor M1 and a starter motor M2. These motors M1 and M2 must be separate and distinct, since the claims require that the motors at least partially overlap each other. Masahiko only discloses a single motor/generator 2. Therefore, Masahiko cannot disclose the vehicle as claimed for at least this reason.

Next, Applicants discuss the transmission of Masahiko. The pending claims require that the transmission has an input shaft co-axial with the crankshaft of the engine, an output shaft parallel with the input shaft, and can change the gear ratio between the input and output shafts. Masahiko discloses a transmission and an engine. However, Applicants respectfully submit that Masahiko does not disclose or suggest the embodiments as claimed.

Claim 1 requires “a generator/motor (M1) that is disposed at a position sandwiched between the engine (E) and the transmission (T).” As illustrated in the figures, the motor M1 is

disposed between the engine (E) and the transmission (T), which is a CVT comprising drive pulley 29 and driven pulley 30. However, Masahiko does not disclose or suggest this configuration. Rather, in Masahiko, the generator 2 is not disposed between the engine 1 and the transmission (all elements from engine joint gears 24-26 to driven gear 18). Instead, the generator 2 is disposed within the transmission. As such, Masahiko cannot disclose or suggest the embodiment as claimed. Additionally, Masahiko discloses several other embodiments, as illustrated in Figures 8-14 and 17-19. However, in each of these alternate embodiments, the generator 2 is disposed within the transmission, rather than being sandwiched between the transmission and the engine 1. Thus, generator 2 of Masahiko cannot be a generator/motor M1 as claimed. A marked-up version of the preferred embodiment of Masahiko is illustrated on the below.



Claim 1 also requires “a starter motor (M2) that can crank the crankshaft 2 and is disposed at a position sandwiched between the engine (E) and the transmission (T).” As illustrated in the figures, the motor M2 is disposed between the engine (E) and the transmission (T), which is a CVT comprising drive pulley 29 and driven pulley 30. However, Masahiko does not disclose or suggest this configuration. Rather, in Masahiko, the generator 2 is not disposed between the engine 1 and the transmission (all elements from engine joint gears 24-26 to driven gear 18). Instead, the generator 2 is disposed within the transmission. As such, Masahiko cannot disclose or suggest the embodiment as claimed. Additionally, Masahiko discloses several other embodiments, as illustrated in Figures 8-14 and 17-19. However, in each of these alternate embodiments, the generator 2 is disposed within the transmission, rather than being sandwiched between the transmission and the engine 1. Thus, for similar reasons as discussed above with respect to generator/motor M1, generator 2 cannot be a motor M2 as claimed. Additionally, in Masahiko, it is unclear whether the generator 2 can crank the crankshaft.

In summary with respect to claim 1, Applicants respectfully submit that Masahiko does not disclose the vehicle as claimed for several reasons. First, Masahiko only discloses a single generator 2, while the claims require two distinct motors which are in an overlapping position. Next, the generator 2 cannot be a generator/motor M1 as claimed, since it is not disposed to be sandwiched between the engine 1 and the transmission. Similarly, the generator 2 cannot be a motor M2, since it is not disposed to be sandwiched between the engine 1 and the transmission. Thus, for at least the above reasons, Masahiko does not disclose the embodiment as recited in claim 1. Favorable reconsideration is respectfully requested.

Next, Applicants address claim 2, which requires that the generator/motor M1 is disposed coaxially with the output shaft. In response, Applicants respectfully submit that the generator 2 is not disposed coaxially with the output shaft 6 in any of the embodiments of Masahiko. Rather, generator 2 of Masahiko is disposed separately from both the input shaft and the output shaft 6. Masahiko does not disclose or suggest that the generator 2 is coaxial with the output shaft 6. Thus, for at least the above reasons, Applicants respectfully submit that Masahiko does not disclose or suggest the embodiment as claimed. Favorable reconsideration is respectfully requested.

Finally, Applicants address claim 3, which requires that the motor M2 is disposed coaxially with the output shaft. In response, like with claim 2, Applicants respectfully submit that the generator 2 is not disposed coaxially with the output shaft 6 in any of the embodiments of Masahiko. Rather, generator 2 of Masahiko is disposed separately from both the input shaft and the output shaft 6. Masahiko does not disclose or suggest that the generator 2 is coaxial with the output shaft 6. Thus, for at least the above reasons, Applicants respectfully submit that Masahiko does not disclose or suggest the embodiment as claimed. Favorable reconsideration is respectfully requested.

For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

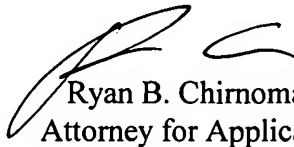
Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned attorney.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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